

## Message Text

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PAGE 01 STATE 121635  
ORIGIN AF-10

INFO OCT-01 ISO-00 CPR-01 L-03 CIAE-00 INR-07 NSAE-00  
PM-04 NSC-05 SP-02 SS-15 /048 R

DRAFTED BY AF/W:BSKIRKPATRICK/L/M:HFSHAMWELL:IW  
APPROVED BY AF/W:TWMSMITH  
S/CPR:HDAVIS

-----261606Z 055522 /56

R 261355Z MAY 77  
FM SECSTATE WASHDC  
TO AMEMBASSY COTONOU

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E.O. 11652: N/A

TAGS: PINT, PDIP, DM, US

SUBJECT: TREATMENT OF U.S. DIPLOMATS

REF: COTONOU 870

1. SHOULD APPROACH REPORTED REFTTEL PROVE UNSUCCESSFUL POST SHOULD DRAW ON FOLLOWING IN ADDITIONAL APPROACHES TO GPRB.
2. WHILE USG RECOGNIZES NO ABSOLUTE IMMUNITY OF DIPLOMATS AGAINST SEARCH OF THEIR PERSONAL BAGGAGE, CURRENT INTERPRETATION OF VIENNA CONVENTION (AS WELL AS USG PRACTICE) IS THAT SUCH SEARCHES SHOULD BE MADE ONLY IN CASES WHERE THERE IS SPECIFIC AND SERIOUS REASON TO BELIEVE THAT BAGGAGE CONTAINS PROHIBITED ITEMS. DRAFTING HISTORY OF THE VIENNA CONVENTION REFLECTS AN INTENTION TO PRESERVE THE CUSTOMARY PRACTICE EXEMPTING BAGGAGE SEARCHES OF DIPLOMATS UNDER ORDINARY CIRCUMSTANCES.

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3. INTERNATIONAL LAW EXPRESSLY PROHIBITS DISCRIMINATION ON THE BASIS OF A COUNTRY OR GROUP OF COUNTRIES (I.E. WESTERN STATES). THE SEARCH SHOULD BE BASED ON SPECIFIC EVIDENCE CONCERNING AN INDIVIDUAL DIPLOMAT AND HIS BAGGAGE, REGARDLESS OF THE DIPLOMAT'S NATIONALITY OR OTHER EXTRANEIOUS FACTORS.

4. THE USG RESERVES THE RIGHT TO TAKE RECIPROCAL RESTRICTIVE MEASURES IF THE GPRB CONTINUES TO SEARCH THE BAGGAGE OF OUR DIPLOMATS (ART. 47, VIENNA CONVENTION).

5. FYI: DEPARTMENT DOES NOT WISH TO ASK CUSTOMS TO EXAMINE BAGGAGE OF BENINESE REPRESENTATIVES ON A RECIPROCAL BASIS. THIS WOULD SET AN UNDESIRABLE PRECEDENT WITH REGARD TO OUR SUPPORT FOR THE INVIOABILITY OF THE PROPERTY AND PERSON OF DIPLOMATS AND WOULD ALSO BE VERY DIFFICULT TO ENFORCE, MAKING DRAWBACKS OUTWEIGH BENEFITS.

VANCE

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DIPLOMATIC PERSONNEL HARASSMENT, CUSTOMS INSPECTIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 26-May-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE121635  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** BSKIRKPATRICK/L/M:HFSHAMWELL:IW  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** 275f3289-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN AF  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
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**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 COTONOU 870  
**Retention:** 0  
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**Review Event:**  
**Review Exemptions:** n/a  
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**Review Release Date:** n/a  
**Review Release Event:** n/a  
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**Review Withdrawn Fields:** n/a  
**SAS ID:** 2353615  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** TREATMENT OF U.S. DIPLOMATS  
**TAGS:** PINT, PDIP, DM, US  
**To:** COTONOU  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009